

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-20-04**

*WHEREAS, FRV DEVELOPMENT* had applied to Community Zoning Appeals Board 14 for the following:

AU to RU-3M

SUBJECT PROPERTY: The west ½ of the west ½ of the SE ¼ of the SE ¼, less the south 290' and less the north 534.189' and less the west 25' of Section 31, Township 55 South, Range 40 East.

LOCATION: 290' north of S.W. 184 Street & east of theoretical S.W. 109 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the requested district boundary change to RU-3M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied and said application was denied by Resolution No. CZAB14-31-03, and

*WHEREAS, FRV DEVELOPMENT* appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

AU to RU-3M

SUBJECT PROPERTY: The west ½ of the west ½ of the SE ¼ of the SE ¼ less the south 290' and less the north 534.189' and less the west 25' of Section 31, Township 55 South, Range 40 East.

LOCATION: 290' north of S.W. 184 Street & east of S.W. 109 Avenue, Miami-Dade County, Florida, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified in the appeal were sufficient to merit a reversal of the ruling made by Community Zoning Appeals Board 14 in Resolution No CZAB14-31-03 and that the appeal should be approved and the decision of Community Zoning Appeals Board 14 should be overruled, and that a district boundary change to RU-TH in lieu of the requested district boundary change to RU-3M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested district boundary change to RU-3M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to grant the appeal and overrule the decision of Community Zoning Appeals Board 14, approve a district boundary change to RU-TH in lieu of the requested district boundary change to RU-3M, and to deny without prejudice the district boundary change to RU-3M was offered by Commissioner Dennis C. Moss, seconded by Commissioner Betty T. Ferguson, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	absent	Dorin D. Rolle	aye
Betty T. Ferguson	aye	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	absent
Joe A. Martinez	absent	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	aye
Chairperson Barbara M. Carey-Shuler		aye	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby approved and the decision of Community Zoning Appeals Board 14 is overruled.

BE IT FURTHER RESOLVED that a district boundary change to RU-TH be and the same is hereby approved.

BE IT FURTHER RESOLVED that the requested district boundary change to RU-3M be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that Resolution No. CZAB14-31-03 is hereby null and void.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

**THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED** this 13<sup>th</sup> day of May, 2004, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 03-7-CZ14-3  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By KAY SULLIVAN  
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 3<sup>RD</sup> DAY OF JUNE, 2004.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

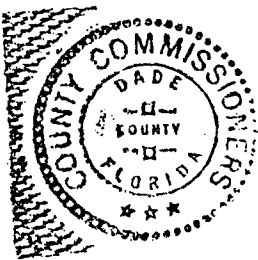
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-20-04 adopted by said Board of County Commissioners at its meeting held on the 13<sup>th</sup> day of May, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 3<sup>rd</sup> day of May, 2004.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**



MIAMI-DADE COUNTY, FLORIDA



DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210  
MIAMI, FLORIDA 33128  
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street  
MIAMI, FLORIDA 33175

□ IMPACT FEE SECTION  
(786) 315-2670 • SUITE 145

□ ZONING INSPECTION SECTION  
(786) 315-2660 • SUITE 223

□ ZONING PERMIT SECTION  
(786) 315-2666 • SUITE 106

□ ZONING PLANS PROCESSING SECTION  
(786) 315-2650 • SUITE 113

June 4, 2004

FRV Development  
c/o Tony Recio  
2665 South Bayshore Drive, Suite 420  
Miami, Florida 33133

Re: Hearing No. 03-7-CZ14-3  
Location: 290' north of S.W. 184 Street & east of  
S.W. 109 Avenue, Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-20-04, adopted by the Board of County Commissioners, which approved your appeal and reversed (sustained) the decision of Community Zoning Appeals Board 14 and approved your District Boundary Change to RU-TH in lieu of the requested district boundary change to RU-3M on the above-described property.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **June 3, 2004**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney  
111 N.W. 1st Street, Suite 2810  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosures